

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 2482 - SB 2398**

March 10, 2016

**SUMMARY OF BILL:** Authorizes a trial court to order that sentences for two offenses run concurrently when one offense was committed while the defendant was released on bail for the other offense if the order is based on a plea agreement between the prosecution and defendant that was agreed to in good faith.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – To the extent the prosecution and a defendant agree to concurrent sentences and the court orders the sentences to run concurrently, the state could realize a decrease in incarceration costs. The extent and timing of any impact is dependent upon several unknown factors and would vary on a case-by-case basis; therefore, any decrease in incarceration costs cannot be reasonably quantified.**

Assumptions:

- Tennessee Code Annotated § 40-20-111(b) requires sentences to run cumulatively, or consecutively, when a defendant commits a felony while released on bail for another offense.
- The bill would allow the sentences to be served concurrently if the order is based on a plea agreement between the prosecution and defendant that was agreed to in good faith.
- To the extent the prosecution and a defendant agree to concurrent sentences and the court orders the sentences to run concurrently, the state could realize a decrease in incarceration costs.
- However, the decrease would greatly vary on a case-by-case basis and cannot reasonably be determined.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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